



STATE OF IDAHO  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY

1410 North Hilton • Boise, Idaho 83706-1255 • (208) 373-0502

Dirk Kempthorne, Governor  
C. Stephen Allred, Director

March 26, 2003

**Certified Mail No. 7099 3220 0009 1976 1081**

Charles L. Magee  
Vice President, General Counsel & Assistant Secretary  
Tesoro Refining and Marketing Co.  
3450 South 344th Way, Suite 100  
Auburn, WA 98001-5931

RE: AIRS Facility No. 001-00093, Tesoro Refining and Marketing Co., Boise  
Tier I Operating Permit Administrative Amendment

Dear Mr. Magee:

The Department of Environmental Quality (Department) is issuing amended Tier I Operating Permit No. TI-030007 for Tesoro Refining and Marketing Co. in accordance with IDAPA 58.01.01.381, *Rules for the Control of Air Pollution in Idaho*. This permit has been administratively amended by the Department as requested in your March 3, 2003 submittal and is effective as of March 21, 2003. The responsible official has been changed to Jeff Carter.

Please be aware this permit replaces Tier I Operating Permit No. 001-00093, dated November 13, 2001, the terms and conditions of which shall no longer be in effect.

Since this project does not significantly change the terms of your permit, the Department will not contact you regarding a meeting to discuss the terms of the permit. However, if you wish to meet to discuss the permit terms and requirements, you may contact Tom Krinke of the Boise Regional Office to schedule a meeting. If a meeting is scheduled, the Department recommends the following representatives attend the meeting: your facility's plant manager, responsible official, environmental contact, and any operations staff responsible for day-to-day compliance with permit conditions.

If you have questions regarding the amendment procedure or this notification, please contact Bill Rogers at (208) 373-0502 or [wrogers@deq.state.id.us](mailto:wrogers@deq.state.id.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen E. West".

Stephen E. West, Administrator  
Air Quality Division

SEW/DH/sd

TI-030007

Tesoro Refining and Marketing Co., Boise  
T-1 Operating Permit Administrative Amendment, March 21, 2003  
Page 2

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c:     Mike McGown, Boise Regional Office  
         Bill Rogers, Air Quality Division  
         Dustin Holloway, Air Quality Division  
         Sherry Davis, Air Quality Division  
         Marilyn Seymore  
         Pat Rayne

**Air Quality****TIER I OPERATING PERMIT**

State of Idaho  
Department of Environmental Quality

**PERMIT NO.:** TI-030007**AIRS FACILITY NO.:** 001-00093**AQCR:** 064**CLASS:** A**SIC:** 5171**ZONE:** 11**UTM COORDINATE (km):** 567.2, 4833.2**1. PERMITTEE**

Tesoro Refining and Marketing Co.

**2. PROJECT**

Tier I Operating Permit – Boise Products Terminal

**3. MAILING ADDRESS**

321 North Curtis Road

**CITY**

Boise

**STATE**

ID

**ZIP**

83706

**4. FACILITY CONTACT**

Jeffrey M. Baker, P.E.

**TITLE** Supervisor, Environmental  
Compliance & Remediation**TELEPHONE**

(253) 896-8700

**5. RESPONSIBLE OFFICIAL**

Jeff Carter

**TITLE**

Terminal Manager

**TELEPHONE**

(253) 896-8700

**6. EXACT PLANT LOCATION**

321 North Curtis Road, Boise, Idaho

**COUNTY**

Ada

**7. GENERAL NATURE OF BUSINESS & KINDS OF PRODUCTS**

Petroleum product storage and distribution

**8. PERMIT AUTHORITY**

This Tier I operating permit is issued pursuant to Idaho Code §39-115 and the *Rules for the Control of Air Pollution in Idaho*, IDAPA 58.01.01.300-386. The permittee shall comply with the terms and conditions of this permit.

This permit incorporates all applicable terms and conditions of prior air quality permits issued by the Idaho Department of Environmental Quality for the permitted source, unless the permittee emits toxic pollutants subject to state-only requirements pursuant to IDAPA 58.01.01.210, and the permittee elects not to incorporate those terms and conditions into this operating permit.

The effective date of this permit is the date of signature by the Department on the cover page. Please be aware this permit replaces Tier I Operating Permit No. 001-00093, dated November 13, 2001, the terms and conditions of which shall no longer be in effect.

  
C. STEPHEN ALLRED, DIRECTOR

DEPARTMENT OF ENVIRONMENTAL QUALITY

**DATE ISSUED:** March 26, 2003**DATE** May 23, 2006

## TABLE OF CONTENTS

LIST OF ACRONYMS, UNITS, AND CHEMICAL NOMENCLATURE.....	3
1. FACILITY-WIDE CONDITIONS.....	4
2. INSIGNIFICANT ACTIVITIES.....	11
3. TIER I OPERATING PERMIT GENERAL PROVISIONS .....	12

## LIST OF ACRONYMS, UNITS, AND CHEMICAL NOMENCLATURE

AIRS	Aerometric Information Retrieval System
AQCR	Air Quality Control Region
ASTM	American Society for Testing and Materials
CAA	Clean Air Act
CFR	Code of Federal Regulations
CO	carbon monoxide
Department	Department of Environmental Quality
EPA	U.S. Environmental Protection Agency
gr/dscf	grains per dry standard cubic foot
HAPs	hazardous air pollutants
hr/yr	hours per year
IDAPA	a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act
km	kilometer
LPG	liquid propane gas
MMBtu/hr	million British thermal units per hour
mmHg	millimeters of mercury
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO <sub>x</sub>	oxides of nitrogen
NSPS	New Source Performance Standards
PM	particulate matter
PM <sub>10</sub>	particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO <sub>2</sub>	sulfur dioxide
T/yr	tons per year
U.S.C.	United States Code
UTM	Universal Transverse Mercator
VOC	volatile organic compound

**AIR QUALITY TIER I OPERATING PERMIT NUMBER: TI-030007**

<b>Permittee:</b> Tesoro West Coast Co.	<b>AIRS Facility No.</b> 001-00093	<b>Date Issued:</b> March 26, 2003
<b>Location:</b> Boise, Idaho		<b>Date Expires:</b> May 23, 2006
<i>The permittee is hereby allowed to operate the equipment described herein subject to all terms and conditions of the permit.</i>		

## 1. FACILITY-WIDE CONDITIONS

The following table contains a summary of requirements that apply generally to emissions units at the facility.

**Table 1.1: SUMMARY OF REQUIREMENTS**

<b>Permit Condition</b>	<b>Parameter</b>	<b>Permit Limit/ Standard Summary</b>	<b>Applicable Requirements Reference</b>	<b>Monitoring and Recordkeeping Requirements</b>
1.1	Fugitive dust	Reasonable control	IDAPA 58.01.01.650-651	1.2, 1.3, 1.4, 1.11
1.5	Odors	Reasonable control	IDAPA 58.01.01.775-776	1.6, 1.11
1.7	Visible emissions	20% opacity for no more than three minutes in any 60-minute period	IDAPA 58.01.01.625	1.8, 1.11
1.9	Excess emissions	Compliance with IDAPA 58.01.01.130-136	IDAPA 58.01.01.130-136	1.9-1.9.5, 1.11
1.12	Open burning	Compliance with IDAPA 58.01.01.600-616	IDAPA 58.01.01.600-616	1.11
1.13	Renovation or demolition	Compliance with 40 CFR 61, Subpart M	40 CFR 61, Subpart M	1.11
1.14	Chemical accidental release	Compliance with 40 CFR 68	40 CFR 68	1.11
1.16	Particulate matter grain loading	0.015 gr/dscf corrected to 3% oxygen for gas, 0.050 gr/dscf corrected to 3% oxygen for liquid, 0.050 gr/dscf corrected to 8% oxygen for coal, 0.080 gr/dscf corrected to 8% oxygen for wood products	IDAPA 58.01.01.676-677	1.11
1.18	Fuel oil sulfur content	ASTM Grade 1 fuel oil – 0.3% by weight; ASTM Grade 2 fuel oil – 0.5% by weight	IDAPA 58.01.01.728	1.11, 1.19
1.20	NESHAPS for Bulk Gasoline Distribution Facilities	10 T/yr individual HAP 25 T/yr aggregated HAPs	40 CFR 60.420(a)	1.11

### ***Fugitive Emissions***

- 1.1 All reasonable precautions shall be taken to prevent particulate matter from becoming airborne in accordance with IDAPA 58.01.01.650-651.  
[IDAPA 58.01.01.650-651, 5/1/94]
- 1.2 The permittee shall monitor and maintain records of the frequency and the method(s) used (i.e., water, chemical dust suppressants, etc.) to reasonably control fugitive emissions.  
[IDAPA 58.01.01.322.06, 07, 5/1/94]

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- 1.3 The permittee shall maintain records of all fugitive dust complaints received. The permittee shall take appropriate corrective action as expeditiously as practicable after a valid complaint is received. The records shall include, at a minimum, the date that each complaint was received and a description of the following: the complaint, the permittee's assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.  
[IDAPA 58.01.01.322.06, 07, 5/1/94]
- 1.4 The permittee shall conduct a quarterly facility-wide fugitive emission inspection of potential sources of fugitive emissions, during daylight hours and under normal operating conditions to ensure that the methods used to reasonably control fugitive emissions are effective. If fugitive emissions are not being reasonably controlled, the permittee shall take corrective action as expeditiously as practicable. The permittee shall maintain records of the results of each quarterly fugitive emission inspection. The records shall include, at a minimum, the date of each inspection and a description of the following: the permittee's assessment of the conditions existing at the time fugitive emissions are present (if observed), any corrective action taken in response to the fugitive emissions, and the date the corrective action was taken.  
[IDAPA 58.01.01.322.06, 07, 5/1/94; IDAPA 58.01.01.322.08, 4/5/00]

**Odors**

- 1.5 No person shall allow, suffer, cause or permit the emission of odorous gases, liquids or solids to the atmosphere in such quantities as to cause air pollution.  
[IDAPA 58.01.01.775-776, 5/1/94]
- 1.6 The permittee shall maintain records of all odor complaints received. If the complaint has merit, the permittee shall take appropriate corrective action as expeditiously as practicable. The records shall include, at a minimum, the date that each complaint was received and a description of the following: the complaint, the permittee's assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.  
[IDAPA 58.01.01.322.06, 07 (state-only), 5/1/94]

**Visible Emissions**

- 1.7 No person shall discharge any air pollutant to the atmosphere from any point of emission for a period or periods aggregating more than three minutes in any 60-minute period which is greater than 20% opacity as determined by procedures contained in IDAPA 58.01.01.625. These provisions shall not apply when the presence of uncombined water, nitrogen oxides and/or chlorine gas are the only reason(s) for the failure of the emission to comply with the requirements of this section.  
[IDAPA 58.01.01.625, 5/1/94]
- 1.8 The permittee shall conduct a quarterly facility-wide visible emission inspection of potential sources of visible emissions, during daylight hours and under normal operating conditions. If any visible emissions are present from any point of emission the permittee shall take appropriate corrective action as expeditiously as practicable. If opacity is greater than 20% for a period or periods aggregating more than three minutes in any 60-minute period the permittee shall take all necessary corrective action and report the exceedance in its annual compliance certification and in accordance with IDAPA 58.01.01.130-136. The permittee shall maintain records of the results of each quarterly visible emission inspection. The records shall include, at a minimum, the date of each inspection and a description of the following: the permittee's assessment of the conditions existing at the time visible emissions are present (if observed), any corrective action taken in response to the visible emissions, and the date corrective action was taken.  
[IDAPA 58.01.01.322.06, 07, 5/1/94; IDAPA 58.01.01.322.08, 4/5/00]

**AIR QUALITY TIER I OPERATING PERMIT NUMBER: TI-030007**

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**Excess Emissions**

1.9 The permittee shall comply with the procedures and requirements of IDAPA 58.01.01.130-136 for excess emissions. The provisions of IDAPA 58.01.01.130-136 shall govern in the event of conflicts between Permit Condition 1.9. and the regulations of IDAPA 58.01.01.130-136.

1.9.1 The person responsible for or in charge of a facility during an excess emissions event shall, with all practicable speed, initiate and complete appropriate and reasonable action to correct the conditions causing such excess emissions event, to reduce the frequency of occurrence of such events, to minimize the amount by which the emission standard is exceeded, and shall, as provided below or upon request of the Department, submit a full report of such occurrence including a statement of all known causes and of the scheduling and nature of the actions to be taken.

[IDAPA 58.01.01.132, 4/5/00]

1.9.2 In all cases where startup, shutdown, or scheduled maintenance of any equipment or emission unit is expected to result or results in an excess emissions event, the owner or operator of the facility or emissions unit generating the excess emissions shall demonstrate compliance with IDAPA 58.01.01. 133.01(a) through (d), including, but not limited to:

[IDAPA 58.01.01.133, 4/5/00]

1.9.2.1 A prohibition of any scheduled startup, shutdown, or maintenance resulting in excess emissions shall occur during any period in which an Atmospheric Stagnation Advisory and/or a Wood Stove Curtailment Advisory has been declared by the Department; and

[IDAPA 58.01.01.133.01.a, 4/5/00]

1.9.2.2 Notifying the Department of the excess emissions event as soon as reasonably possible, but no later than two hours prior to the start of the excess emission event unless the owner or operator demonstrates to the Department's satisfaction that a shorter advanced notice was necessary.

[IDAPA 58.01.01.133.01.b, 4/5/00]

1.9.2.3 The owner or operator of a source of excess emissions shall report and record the information required pursuant to Permit Conditions 1.9.4 and 1.9.5 and IDAPA 58.01.01.135 and 136 for each excess emissions event due to startup, shutdown, or scheduled maintenance.

[IDAPA 58.01.01.133.01.c, 3/20/97]

1.9.3 In all cases where upset or breakdown of equipment or an emissions unit, or the initiation of safety measures, results or may result in an excess emissions event, the owner or operator of the facility or emissions unit generating the excess emissions shall demonstrate compliance with IDAPA 58.01.01. 134.01(a) and (b) and the following:

[IDAPA 58.01.01.134, 4/5/00]

1.9.3.1 For all equipment or emissions units from which excess emissions result during upset or breakdown conditions, or for other situations that may necessitate the implementation of safety measures which cause excess emissions, the facility owner or operator shall comply with the following:

[IDAPA 58.01.01.134.02, 4/5/00]

- The owner or operator shall immediately undertake all appropriate measures to reduce and, to the extent possible, eliminate excess emissions resulting from the event and to minimize the impact of such excess emissions on the ambient air quality and public health.

[IDAPA 58.01.01.134.02.a, 4/5/00]



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- The owner or operator shall notify the Department of any upset, breakdown, or safety event that results in excess emissions. Such notification shall identify the time, specific location, equipment or emissions unit involved, and (to the extent known) the cause(s) of the occurrence. The notification shall be given as soon as reasonably possible, but no later than 24 hours after the event, unless the owner or operator demonstrates to the Department's satisfaction that the longer reporting period was necessary.  
[IDAPA 58.01.01.134.02.b, 11/13/98]
- The owner or operator shall report and record the information required pursuant to Permit Conditions 1.9.4 and 1.9.5 and IDAPA 58.01.01.135 and 136 for each excess emissions event caused by an upset, breakdown, or safety measure.

[IDAPA 58.01.01.134.02.c, 3/20/97]

1.9.3.2 During any period of excess emissions caused by upset, breakdown or operation under facility safety measures, the Department may require the owner or operator to immediately reduce or cease operation of the equipment or emissions unit causing the excess emissions until such time as the condition causing the excess emissions has been corrected or brought under control. Such action by the Department shall be taken upon consideration of the factors listed in IDAPA 58.01.01.134.03 and after consultation with the facility owner or operator.

[IDAPA 58.01.01.134.03, 4/5/00]

1.9.4 A written report for each excess emissions event shall be submitted to the Department by the owner or operator no later than 15 days after the beginning of such an event. Each report shall contain the information specified in IDAPA 58.01.01.135.02.

[IDAPA 58.01.01.135.01, 02, 3/20/97, IDAPA 58.01.01.135.03, 4/5/00]

1.9.5 The owner or operator shall maintain excess emissions records at the facility for the most recent five calendar- year period. The excess emissions records shall be made available to the Department upon request. The excess emissions records shall include the information requested by IDAPA 58.01.01.136.03(a) and (b) as summarized in the following:

[IDAPA 58.01.01.136.01, 02, 3/20/97; IDAPA 58.01.01.136.03, 4/5/00]

1.9.5.1 An excess emissions log book for each emissions unit or piece of equipment containing copies of all reports that have been submitted to the Department pursuant to IDAPA 58.01.01.135 for the particular emissions unit or equipment; and

[IDAPA 58.01.01.136.03.a, 4/5/00]

1.9.5.2 Copies of all startup, shutdown, and scheduled maintenance procedures and upset/breakdown/ safety preventative maintenance plans which have been developed by the owner or operator in accordance with IDAPA 58.01.01.133 and 134, and facility records as necessary to demonstrate compliance with such procedures and plans.

[IDAPA 58.01.01.136.03.b, 3/20/97; IDAPA 58.01.01.130-136, 11/13/98  
(state-only; federally enforceable upon approval into the SIP); IDAPA 58.01.01.322.08.b, 3/23/98]

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**Reports and Certifications**

- 1.10 All periodic reports and certifications required by this permit shall be submitted to the Department within 30 days of the end of each specified reporting period. Excess emissions reports and notifications shall be submitted in accordance with IDAPA 58.01.01.130-136. Reports, certifications and notifications shall be submitted to:

Air Quality Permit Compliance  
Department of Environmental Quality  
Boise Regional Office  
1445 N. Orchard  
Boise, ID 83706-2239

Phone: (208) 373-0550  
FAX: (208) 373-0287

The periodic compliance certification required by General Provision 21 shall also be submitted within 30 days of the end of the specified reporting period to:

EPA Region 10  
Air Operating Permits, OAQ-107  
1200 Sixth Avenue  
Seattle, WA 98101

[IDAPA 58.01.01.322.08, 11, 5/1/94]

**Monitoring and Recordkeeping**

- 1.11 The permittee shall maintain sufficient recordkeeping to assure compliance with all of the terms and conditions of this operating permit. Recording of monitoring information shall include, but not be limited to: (a) the date, place, and times of sampling or measurements; (b) the date analyses were performed; (c) the company or entity that performed the analyses; (d) the analytical techniques or methods used; (e) the results of such analyses; and (f) the operating conditions existing at the time of sampling or measurement. All monitoring records and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report, or application. Supporting information includes, but is not limited to, all calibration and maintenance records, all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. All records required to be maintained by this permit shall be made available in either hard copy or electronic format to Department representatives upon request.

[IDAPA 58.01.01.322.07, 5/1/94]

**Open Burning**

- 1.12 The facility shall comply with the requirements of IDAPA 58.01.01.600-616, *Rules for Control of Open Burning*.

[IDAPA 58.01.01.600-616, 5/1/94]

**Renovation and Demolition**

- 1.13 The permittee shall comply with all applicable portions of 40 CFR 61, Subpart M when conducting any renovation or demolition activities at the facility.

[40 CFR 61, Subpart M]

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**Regulated Substance for Accidental Release Prevention**

1.14 An owner or operator of a stationary source that has more than a threshold quantity of a regulated substance in a process, as determined under 40 CFR 68.115, shall comply with the requirements of the Chemical Accident Prevention Provisions at 40 CFR 68 no later than the latest of the following dates:

- Three years after the date on which a regulated substance present above a threshold quantity is first listed under 40 CFR 68.130
- The date on which a regulated substance is first present above a threshold quantity in a process

[40 CFR 68.10 (a)]

**Test Methods**

1.15 If testing is required, the permittee shall use the following test methods to measure the pollutant emissions:

Table 1.2 EPA REFERENCE TEST METHODS

Pollutant	Test Method*	Special Conditions
PM <sub>10</sub>	EPA Method 201.a and 202	
PM	EPA Method 5	
NO <sub>x</sub>	EPA Method 7	
SO <sub>2</sub>	EPA Method 6	
CO	EPA Method 10	
VOC	EPA Method 25	
Opacity	EPA Method 9	If NSPS source, IDAPA 58.01.01.625 and Method 9; otherwise, IDAPA 58.01.01.625 only.

\*Or Department-approved alternative in accordance with IDAPA 58.01.01.157

**Fuel-Burning Equipment**

1.16 The permittee shall not discharge to the atmosphere from any fuel-burning equipment particulate matter in excess of 0.015 gr/dscf of effluent gas corrected to 3% oxygen by volume for gas, 0.050 gr/dscf of effluent gas corrected to 3% oxygen by volume for liquid, 0.050 gr/dscf of effluent gas corrected to 8% oxygen by volume for coal, and 0.080 gr/dscf of effluent gas corrected to 8% oxygen by volume for wood products.

[IDAPA 58.01.01.676-677, 5/1/94]

**Recycling and Emissions Reductions**

1.17 The permittee shall comply with applicable standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, Recycling and Emissions Reduction.

[40 CFR 82, Subpart F]

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**Sulfur Content**

1.18 No person shall sell, distribute, use, or make available for use, any distillate fuel oil containing more than the following percentages of sulfur:

- ASTM Grade 1 fuel oil - 0.3% by weight
- ASTM Grade 2 fuel oil - 0.5% by weight

[IDAPA 58.01.01.728, 5/1/94]

**Compliance Testing**

1.19 The permittee shall establish compliance with the limits specified in Condition 1.18 by fulfilling either condition 1.19.1 or condition 1.19.2. Testing and/or certification shall be conducted for the appropriate fuel material and time period specified by this permit condition. The reference test method for measuring fuel sulfur content shall be ASTM method, D129-95 Standard Test for Sulfur in Petroleum Products (General Bomb Method) or such comparable and equivalent method approved in accordance with IDAPA 58.01.01.157.02.d. Test methods and procedures shall comply with IDAPA 58.01.01.157. The permittee may distribute distillate fuels from any of the storage tanks prior to, during, and after the sampling event.

1.19.1 The permittee shall determine the sulfur content in each distillate fuel storage tank on a monthly basis by testing as specified in Condition 1.19; or

1.19.2 The permittee shall obtain documentation of the distillate fuel oil sulfur content from the refinery or refineries that produce(s) the fuel. Acceptable documentation shall include current contractual agreements which specify that the sulfur contents of distillate fuel oils entering the pipeline from the refinery are within the limits specified in this permit. In addition, the permittee shall determine the sulfur content in each distillate fuel storage tank on a semi-annual basis by testing as specified in condition 1.19. Testing documentation shall identify the tank number and the ASTM Grade of the fuel stored in the tank at the time of testing.

[IDAPA 58.01.01.322.06, 5/1/94]

**National Emission Standards for Hazardous Air Pollutants for Gasoline Distribution Facilities**

1.20 The permittee has demonstrated that it is exempt from 40 CFR 63 - Subpart R through the submittal of screening equation parameters in accordance with 40 CFR 40 CFR 63.420(a)(1). The permittee shall be exempt from 40 CFR 63 - Subpart R by complying with Conditions 1.20.1, 1.20.2, 1.20.3 and 1.20.4.

1.20.1 The facility shall comply with the applicable provisions of 40 CFR 63 - Subpart R - National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations).

[40 CFR 63.420(a)]

1.20.2 The permittee shall operate the facility such that none of the facility parameters used to calculate the results under 40 CFR 63.420(a)(1), and approved by the Administrator, is exceeded in any rolling 30-day period.

[40 CFR 63.420(c)(1)]

1.20.3 The permittee shall maintain records and provide reports as required by 40 CFR 63.428(l).

[40 CFR 63.420(c)(2)]

1.20.4 The permittee shall comply the requirements of 40 CFR 63.428(i)(4) in the event the facility modifies any of the parameters of the screening equation specified by 40 CFR 63.420(a)(1). No modification to this permit shall be required provided the permittee fulfills the requirements of 40 CFR 63.428(i)(4).

[40 CFR 63.428(i)(4)]

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## 2. INSIGNIFICANT ACTIVITIES

Activities and emission units identified as exempted under IDAPA 58.01.01.317.01(b) are required to be listed in this permit to qualify for a permit shield.

**Table: 2.1 INSIGNIFICANT ACTIVITIES**

<b>Emissions Unit or Process</b>	<b>Exemption Description</b>	<b>Insignificant Activities IDAPA58.01.01.317.01(b)(I)</b>
Storage Tanks: TK 2001 TK 2002 TK 2003 TK 2004 TK 2005 TK 2006 TK 2007 TK 2008 TK 2009	An emission unit or activity with emissions less than or equal to 10% of the levels contained in Section 006 of the definition of significant and no more than 1 T/yr of any HAP.  Applicable Limits: less than 4 T/yr of VOCs and less than 1 T/yr of any HAP	(30), [3-23-98]
Storage Tanks: TK 2010 TK 2011 TK 2012 TK 2013 TK 2014 TK 2015 TK 2016	VOC storage tanks less than 10,000 gallons capacity and vapor pressure < 80 mmHg at 21°C	(3), [3-23-98]
Loading Rack Distillate Loading Operation	An emission unit or activity with emissions less than or equal to 10% of the levels contained in Section 006 of the definition of significant and no more than 1 T/yr of any HAP.  Applicable Limits: less than 4 T/yr of VOCs and less than 1 T/yr of any HAP	(30), [3-23-98]
Building Furnace	Combustion source, less than 5.0 MMBtu/hr, exclusively using natural gas, butane, propane, and/or LPG.  Space heaters and hot water heaters using natural gas, propane, or kerosene and generating less than 5.0 MMBtu/hr.	(5), [3-3-95]L  (18), (3-3-95)L
Fugitive Emissions	An emission unit or activity with emissions less than or equal to 10% of the levels contained in Section 006 of the definition of significant and no more than 1 T/yr of any HAP.  Applicable Limits: less than 4 T/yr of VOCs and less than 1 T/yr of any HAP	(30), [3-23-98]

There are no additional monitoring, recordkeeping, or reporting requirements for insignificant emission units other than those specified in the Facility-wide Permit Conditions.

[IDAPA 58.01.01.322.06, 5/1/94]

**AIR QUALITY TIER I OPERATING PERMIT NUMBER: TI-030007**

<b>Permittee:</b>	Tesoro West Coast Co.	<b>AIRS Facility No.</b> 001-00093	<b>Date Issued:</b>	March 26, 2003
<b>Location:</b>	Boise, Idaho		<b>Date Expires:</b>	May 23, 2006
<i>The permittee is hereby allowed to operate the equipment described herein subject to all terms and conditions of the permit.</i>				

**3. TIER I OPERATING PERMIT GENERAL PROVISIONS*****General Compliance***

- 3.1 The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation and is grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application.  
[IDAPA 58.01.01.322.15.a, 5/1/94; 40 CFR 70.6(a)(6)(i)]
- 3.2 It shall not be a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the terms and conditions of this permit.  
[IDAPA 58.01.01.322.15.b, 5/1/94; 40 CFR 70.6(a)(6)(ii)]
- 3.3 Any permittee who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information.  
[IDAPA 58.01.01.315.01, 5/1/94; 40 CFR 70.5(b)]

***Reopening***

- 3.4 This permit may be revised, reopened, revoked and reissued, or terminated for cause. Cause for reopening exists under any of the circumstances listed in IDAPA 58.01.01.386. Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable in accordance with IDAPA 58.01.01.360 through 369.  
[IDAPA 58.01.01.322.15.c, 5/1/94; IDAPA 58.01.01.386, 3/19/99; 40 CFR 70.7(f)(1) and (2); 40 CFR 70.6(a)(6)(iii)]
- 3.5 The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.  
[IDAPA 58.01.01.322.15.d, 5/1/94; 40 CFR 70.6(a)(6)(iii)]

***Property Rights***

- 3.6 This permit does not convey any property rights of any sort, or any exclusive privilege.  
[IDAPA 58.01.01.322.15.e, 5/1/94; 40 CFR 70.6(a)(6)(iv)]

***Information Requests***

- 3.7 The permittee shall furnish all information requested by the Department, within a reasonable time, that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit.  
[Idaho Code § 39-108; IDAPA 58.01.01.122, 5/1/94; IDAPA 58.01.01.322.15.f, 4/5/00; 40 CFR 70.6(a)(6)(v)]
- 3.8 Upon request, the permittee shall furnish to the Department copies of records required to be kept by this permit. For information claimed to be confidential, the permittee may furnish such records along with a claim of confidentiality in accordance with Idaho Code §9-342A and applicable implementing regulations including IDAPA 58.01.01.128.  
[IDAPA 58.01.01.322.15.g, 5/1/94; IDAPA 58.01.01.128, 4/5/00; 40 CFR 70.6(a)(6)(v)]

AIR QUALITY TIER I OPERATING PERMIT NUMBER: TI-030007			
Permittee:	Tesoro West Coast Co.	AIRS Facility No. 001-00093	Date Issued: March 26, 2003
Location:	Boise, Idaho		Date Expires: May 23, 2006
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### **Severability**

- 3.9 The provisions of this permit are severable, and if any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

[IDAPA 58.01.01.322.15.h, 5/1/94; 40 CFR 70.6(a)(5)]

### **Changes Requiring Permit Revision or Notice**

- 3.10 The permittee may not commence construction or modification of any stationary source, facility, major facility, or major modification without first obtaining all necessary permits to construct or an approval under IDAPA 58.01.01.213, or complying with IDAPA 58.01.01.220 through 223. The permittee shall comply with IDAPA 58.01.01.380 through 386 as applicable.

[IDAPA 58.01.01.200-223, 4/5/00; IDAPA 58.01.01.322.15.i, 380-386, 3/19/99; 40 CFR 70.4(b)(12), (14) and (15), and 70.7(d) and (e)]

- 3.11 Changes that are not addressed or prohibited by the Tier I Operating Permit require a Tier I Operating Permit revision if such changes are subject to any requirement under Title IV of the CAA, 42 U.S.C. Section 7651 through 7651c, or are modifications under Title I of the CAA, 42 U.S.C. Section 7401 through 7515. Administrative amendments (IDAPA 58.01.01.381), minor permit modifications (IDAPA 58.01.01.383), and significant permit modifications (IDAPA 58.01.01.382) require a revision to the Tier I operating permit. IDAPA 58.01.01.502(b)(10) charges are authorized in accordance with IDAPA 58.01.01.384. Off-permit changes and required notice are authorized in accordance with IDAPA 58.01.01.385.

[IDAPA 58.01.01.381-385, 3/19/99; IDAPA 58.01.01.209.05, 5/1/94; 40 CFR 70.4(b)(14) and (15)]

### **Federal and State Enforceability**

- 3.12 Unless specifically identified as a "state-only" provision, all terms and conditions in this permit, including any terms and conditions designed to limit a source's potential to emit, are enforceable: (i) by the Department in accordance with state law; and (ii) by the United States or any other person in accordance with federal law.

[IDAPA 58.01.01.322.15.j, 5/1/94; 40 CFR 70.6(b)(1) and (2)]

- 3.13 Provisions specifically identified as a "state-only" provision are enforceable only in accordance with state law. "State-only" provisions are those that are not required under the Federal Clean Air Act or under any of its applicable requirements or those provisions adopted by the state prior to federal approval.

[Idaho Code §39-108; IDAPA 58.01.01.322.15.k, 3/23/98]

### **Inspection and Entry**

- 3.14 Upon presentation of credentials, the permittee shall allow the Department or an authorized representative of the Department to do the following:

- 3.14.1 Enter upon the permittee's premises where a Tier I source is located or emissions related activity is conducted, or where records are kept under conditions of this permit;
- 3.14.2 Have access to and copy, at reasonable times, any records that are kept under the conditions of this permit;
- 3.14.3 Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and

**AIR QUALITY TIER I OPERATING PERMIT NUMBER: TI-030007**

<b>Permittee:</b>	Tesoro West Coast Co.	<b>AIRS Facility No.</b> 001-00093	<b>Date Issued:</b>	March 26, 2003
<b>Location:</b>	Boise, Idaho		<b>Date Expires:</b>	May 23, 2006
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- 3.14.4 As authorized by the Idaho Environmental Protection and Health Act, sample or monitor, at reasonable times, substances or parameters for the purpose of determining or ensuring compliance with this permit or applicable requirements.

[Idaho Code §39-108; IDAPA 58.01.01.322.15.i, 3/19/99; 40 CFR 70.6(c)(2)]

**New Requirements During Permit Term**

- 3.15 The permittee shall comply with applicable requirements that become effective during the permit term on a timely basis.

[IDAPA 58.01.01.322.10, 4/5/00; IDAPA 58.01.01.314.10.a.ii, 5/1/94;  
40 CFR 70.6(c)(3) citing 70.5(c)(8)]

**Fees**

- 3.16 The owner or operator of a Tier I source shall pay annual registration fees to the Department in accordance with IDAPA 58.01.01.525 through IDAPA 58.01.01.538.

[IDAPA 58.01.01.322.15.n, 5/1/94; 40 CFR 70.6(a)(7)]

**Certification**

- 3.17 All documents submitted to the Department shall be certified in accordance with IDAPA 58.01.01.123 and comply with IDAPA 58.01.01.124.

[IDAPA 58.01.01.322.15.o, 5/1/94; 40 CFR 70.6(a)(3)(iii)(A); 40 CFR 70.5(d)]

**Renewal**

- 3.18.1 The owner or operator of a Tier I source shall submit an application to the Department for a renewal of this permit at least six months before, but no earlier than 18 months before, the expiration date of this operating permit. To ensure that the term of the operating permit does not expire before the permit is renewed, the owner or operator is encouraged to submit a renewal application nine months prior to the date of expiration.

[IDAPA 58.01.01.313.03, 4/5/00; 40 CFR 70.5(a)(1)(iii)]

- 3.18.2 If a timely and complete application for a Tier I operating permit renewal is submitted, but the Department fails to issue or deny the renewal permit before the end of the term of this permit, then all the terms and conditions of this permit including any permit shield that may have been granted pursuant to IDAPA 58.01.01.325 shall remain in effect until the renewal permit has been issued or denied.

[IDAPA 58.01.01.322.15.p, 5/1/94; 40 CFR 70.7(b)]

**Permit Shield**

- 3.19 Compliance with the terms and conditions of the Tier I operating permit, including those applicable to all alternative operating scenarios and trading scenarios, shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that:

- 3.19.1 Such applicable requirements are included and are specifically identified in the Tier I operating permit; or

- 3.19.1.1 The Department has determined that other requirements specifically identified are not applicable and all of the criteria set forth in IDAPA 58.01.01.325.01(b) have been met.



**AIR QUALITY TIER I OPERATING PERMIT NUMBER: TI-030007**

<b>Permittee:</b>	Tesoro West Coast Co.	<b>AIRS Facility No.</b> 001-00093	<b>Date Issued:</b>	March 26, 2003
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3.19.2 The permit shield shall apply to permit revisions made in accordance with IDAPA 58.01.01.381.04 (administrative amendments incorporating the terms of a permit to construct), IDAPA 58.01.01.382.04 (significant modifications), and IDAPA 58.01.01.384.03 (trading under an emissions cap).

3.19.3 Nothing in this permit shall alter or affect the following:

3.19.3.1 Any administrative authority or judicial remedy available to prevent or terminate emergencies or imminent and substantial dangers;

3.19.3.2 The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;

3.19.3.3 The applicable requirements of the acid rain program, consistent with 42 U.S.C. Section 7651(g)(a); and

3.19.3.4 The ability of EPA to obtain information from a source pursuant to Section 114 of the CAA; or the ability of the Department to obtain information from a source pursuant to Idaho Code 39-108 and IDAPA 58.01.01.122.

[Idaho Code §39-108 and 112; IDAPA 58.01.01.122, 322.15.m, 325, 5/1/94; IDAPA 58.01.01.381.04, 382.04, 383.05, 384.03, 385.03, 3/19/99; 40 CFR 70.6(f)]

***Compliance Schedule and Progress Reports***

3.20.1 For each applicable requirement for which the source is not in compliance, the permittee shall comply with the compliance schedule incorporated in this permit.

3.20.2 For each applicable requirement that will become effective during the term of this permit and that provides a detailed compliance schedule, the permittee shall comply with such requirements in accordance with the detailed schedule.

3.20.3 For each applicable requirement that will become effective during the term of this permit that does not contain a more detailed schedule, the permittee shall meet such requirements on a timely basis.

3.20.4. For each applicable requirement with which the permittee is in compliance, the permittee shall continue to comply with such requirements.

[IDAPA 58.01.01.322.10, 4/5/00; IDAPA 58.01.01.314.9, 10, 5/1/94; 40 CFR 70.6(c)(3) and (4)]

***Periodic Compliance Certification***

3.21 The permittee shall submit compliance certifications during the term of the permit for each emissions unit to the Department and the EPA as follows:

3.21.1 Compliance certifications for all emissions units shall be submitted annually beginning twelve (12) months from the initial permit issuance date, or more frequently if specified by the underlying applicable requirement or elsewhere in this permit by the Department;

3.21.2 The compliance certification for each emissions unit shall address all of the terms and conditions contained in the Tier I operating permit that are applicable to such emissions unit including emissions limitations, standards, and work practices;

3.21.3 The compliance certification shall be in an itemized form providing the following information (provided that the identification of applicable information may cross-reference the permit or previous reports as applicable):

**AIR QUALITY TIER I OPERATING PERMIT NUMBER: TI-030007**

<b>Permittee:</b>	Tesoro West Coast Co.	<b>AIRS Facility No.</b> 001-00093	<b>Date Issued:</b>	March 26, 2003
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- 3.21.3.1 The identification of each term or condition of the Tier I operating permit that is the basis of the certification;
- 3.21.3.2 The identification of the method(s) or other means used by the owner or operator for determining the compliance status with each term and condition during the certification period, and whether such methods or other means provide continuous or intermittent data. Such methods and other means shall include, at a minimum, the methods and means required by this Tier I operating permit. If necessary, the owner or operator shall identify any other material information that must be included in the certification to comply with Section 113(c)(2) of the CAA which prohibits knowingly making a false certification or omitting material information;
- 3.21.3.3 The status of compliance with the terms and conditions of the permit for the period covered by the certification, based on the method or means designated in Paragraph 3.21.3.2 above. The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR Part 64 occurred;
- 3.21.3.4 Such other facts as the Department may require, to determine the compliance status of the source.
- 3.21.4 All original compliance certifications shall be submitted to the Department and a copy of all compliance certifications shall be submitted to the EPA.

[IDAPA 58.01.01.322.11, 5/1/94; 40 CFR 70.6(c)(5)(iii) as amended, 62 Fed. Reg. 54900, 54946, 10/22/97; 40 CFR 70.6(c)(5)(iv)]

**False Statements**

- 3.22 No person shall knowingly make any false statement, representation, or certification in any form, notice, or report required under this permit, or any applicable rule or order in force pursuant thereto.

[IDAPA 58.01.01.125, 3/23/98]

**No Tampering**

- 3.23 No person shall knowingly render inaccurate any monitoring device or method required under this permit or any applicable rule or order in force pursuant thereto.

[IDAPA 58.01.01.126, 3/23/98]

**Semiannual Monitoring Reports**

- 3.24 In addition to all applicable reporting requirements identified in this permit, the permittee shall submit reports of any required monitoring at least every six months starting six months from the date of initial permit issuance. All instances of deviations from this operating permit's requirements must be clearly identified in the report. All required reports must be certified in accordance with IDAPA 58.01.01.123.

[IDAPA 58.01.01.322.15.q, 3/23/98; IDAPA 58.01.01.322.08.c, 4/5/00; 40 CFR 70.6(a)(3)(iii)]

**Reporting Deviations and Excess Emissions**

- 3.25 The permittee shall promptly report all deviations from permit requirements including upset conditions, their probable cause, and any corrective actions or preventive measures taken. For excess emissions, the report shall be made in accordance with IDAPA 58.01.01.130-136. For all other deviations, the report shall be made in accordance with IDAPA 58.01.01.322.08.c, unless otherwise specified in this permit.

[IDAPA 58.01.01.322.15.q, 3/23/98; IDAPA 58.01.01.135, 4/5/00; 40 CFR 70.6(a)(3)(iii)]

**AIR QUALITY TIER I OPERATING PERMIT NUMBER: TI-030007**

<b>Permittee:</b>	Tesoro West Coast Co.	<b>AIRS Facility No.</b> 001-00093	<b>Date Issued:</b>	March 26, 2003
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**Permit Revision Not Required**

- 3.26 No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit.  
[IDAPA 58.01.01.322.05.b, 4/5/00; 40 CFR 70.6(a)(8)]

**Emergency**

- 3.27 In accordance with IDAPA 58.01.01.332, an "emergency" as defined in IDAPA 58.01.01.008., constitutes an affirmative defense to an action brought for noncompliance with such technology-based emissions limitation if the conditions of IDAPA 58.01.01.332.02 are met.  
[IDAPA 58.01.01.332.01, 3/19/99; 40 CFR 70.6(g)]